

GERRARD, COX & LARSEN
2450 St. Rose Parkway, Suite 200
Henderson, NV 89074
O:(702)796-4000 F:(702)796-47848

Douglas D. Gerrard, Esq.
Nevada Bar No. 4613
dgerrard@gerrard-cox.com
Fredrick J. Biedermann, Esq.
Nevada Bar No. 11918
fbiedermann@gerrard-cox.com
GERRARD COX LARSEN
2450 St. Rose Parkway, Suite 200
Henderson, NV 89074
Tel: (702)796-4000
Fax: (702)796-4848

Natalie L. Winslow, Esq.
Nevada Bar No. 12125
Scott R. Lachman, Esq.
Nevada Bar No. 12488
AKERMAN, LLP
1635 Village Center Circle, Suite 200
Las Vegas, Nevada 89134
Tel: (702) 634-5000
Fax: (702) 380-8572
natalie.winslow@akerman.com
scott.lachman@akerman.com
Attorneys for Defendant Bank of America, N.A.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SFR INVESTMENTS POOL 1, LLC,

Plaintiff,

vs.

BANK OF AMERICA, NA, SUCCESSOR BY
MERGER TO BAC HOME LOANS
SERVICING, LP FKA COUNTRYWIDE HOME
LOANS SERVICING, LP,

Defendants.

Case No. 2:19-cv-01534-JCM-DJA

**AMENDED STIPULATION AND
ORDER TO EXTEND DISCOVERY,
DISPOSITIVE MOTION AND
PRETRIAL ORDER DEADLINES
(SECOND REQUEST)**

Pursuant to Local Rules IA 6-1 and 26-4, Defendant, BANK OF AMERICA, N.A., Successor by Merger To BAC Home Loan Servicing, LP, f/k/a Countrywide Home Loans Servicing, LP (“**BANA**”), by and through its attorneys of record, the law firms of GERRARD COX LARSEN and AKERMAN LLP, and Plaintiff SFR INVESTMENTS POOL 1, LLC (“**SFR**”), by and through its attorneys of record, the law firm of KIM GILBERT EBRON subject to approval by the Court, to extend the discovery deadline, deadlines to file dispositive motions, responses and replies to any responses to dispositive motions following this Court’s Order dated March 10, 2021 [ECF No. 56]. This is the parties' second request for an extension of the current discovery deadlines.

I. INTRODUCTION

This dispute pertains to a foreclosure sale conducted by HOA. The primary issue between SFR and BANA is whether BANA's deed of trust survived the foreclosure sale.

II. STATEMENT SPECIFYING THE DISCOVERY COMPLETED

On November 21, 2019, the court entered a stipulated discovery plan and scheduling order [ECF No. 19] and set the following deadlines:

- (a) Discovery cut off: March 30, 2020.
- (b) Amending the pleadings and adding parties: December 3, 2019.
- (c) Interim status report: January 30, 2020.
- (d) Dispositive motions: April 29, 2020.
- (e) Pre-trial order: May 29, 2020.

Pursuant to the initial stipulated order and discovery plan, the following discovery had been completed:

- 1. SFR served its initial disclosures on November 13, 2019.
- 2. BANA served subpoenas duces tecum to the HOA and its collection agent, Terra West Collections Group, dba Assessment Management Services (“Terra West / AMS”) on November 18, 2019.

GERRARD, COX & LARSEN
2450 St. Rose Parkway, Suite 200
Henderson, NV 89074
O:(702)796-4000 F:(702)796-47848

3. BANA served its expert witness disclosure on December 30, 2019.

4. SFR served its notice of deposition of BANA on February 25, 2020, setting the deposition for March 23, 2020. This deposition was vacated as a result of the parties stipulating to stay the case.

5. BANA served its notice of deposition for the HOA on February 26, 2020, setting the deposition for March 13, 2020, which took place as scheduled.

6. BANA served its notice of deposition for Terra West / AMS on February 26, 2020, setting the deposition for March 16, 2020. This deposition was cancelled as a result of the witness suffering an injury.

7. SFR served its first set of requests for admission, first set of requests for production of documents, and first set of interrogatories to BANA on February 28, 2020.

8. BANA served its first set of requests for admission, first set of requests for production of documents, and first set of interrogatories to SFR on February 28, 2020.

9. BANA served its first supplement to initial disclosures on February 29, 2020.

10. BANA served its second supplement to initial disclosures on March 6, 2020.

11. BANA served its notice of deposition for SFR on March 6, 2020, setting the deposition for March 27, 2020. This deposition was vacated as result of the Parties stipulating to stay the case.

12. BANA served its third supplement to initial disclosures on March 10, 2020.

13. BANA served its fourth supplement to initial disclosures on March 16, 2020.

14. BANA served its responses to SFR's Written Discovery on or about June 2, 2020.

On March 10, 2021, after the case was stayed per stipulation and order [EFC No. 32] and later dismissed on summary judgment [ECF No. 36], the Court ordered that the case be reopened following a motion for reconsideration [ECF No. 19] filed by the Plaintiff. On March 10, 2021, the

1 Court entered a Stipulation and Order to reopen discovery [ECF No. 56] and set the following
2 deadlines:

- 3 (a) Discovery cut off: June 8, 2021.
- 4 (b) Amending the pleadings and adding parties: None requested.
- 5 (c) Interim status report: None requested.
- 6 (d) Initial expert disclosures: None requested
- 7 (e) Rebuttal expert disclosures: None requested
- 8 (f) Dispositive motions: July 8, 2021.
- 9 (e) Pre-trial order: August 9, 2021.

10 Since the Order [ECF No. 56] was entered on March 10, 2021, the following discovery had
11 been completed by the Parties:

- 12 1. BANA served its notice of deposition for SFR on March 6, 2020, setting the
13 deposition for March 27, 2020. Deposition of FRCP 30(b)(6) witness for SFR.
- 14 2. BANA served its fifth supplement to initial disclosures on April, 2021.
- 15 3. BANA served its notice of deposition for the FRCP 30(b)(6) witness on March 31,
16 2021, setting the deposition for April 22, 2021. The deposition of FRCP 30(b)(6) witness for SFR
17 was rescheduled and took place on May 10, 2021.
- 18 4. BANA served its amended notice of deposition for the FRCP 30(b)(6) for Terra West
19 / AMS on April 15, 2021, setting the deposition for May 13, 2021. The deposition took place as
20 scheduled.
- 21 5. BANA served a notice of issuance of subpoena duces tecum upon the Custodian of
22 Records of Orange Realty Group on May 4, 2021.
- 23 6. BANA served its sixth supplement to initial disclosures on May 7, 2021.
- 24 7. BANA served its seventh supplement to initial disclosures on May 12, 2021.

GERRARD, COX & LARSEN
2450 St. Rose Parkway, Suite 200
Henderson, NV 89074
O:(702)796-4000 F:(702)796-47848

1 8. BANA served its notice of deposition of Jason Mattson of Orange Realty Group on
2 May 12, 2021, setting the deposition for May 27, 2021. The deposition of Jason Mattson took place
3 as scheduled.

4 9. BANA served its notice of deposition of Marina Arcos on May 13, 2021, setting the
5 deposition for June 7, 2021. The deposition of took place as scheduled.

6 10. BANA served its notice of deposition of Nancy Rhody of Lawyers Title of Nevada
7 on May 13, 2021, setting the deposition for June 8, 2021. The deposition of took place as
8 scheduled.

9 11. BANA served its notice of issuance of subpoena duces tecum to Lawyers Title of
10 Nevada on May 13, 2021.

11 12. SFR served its notice of deposition of FRCP 36(b)(6) witness for BANA on May 13,
12 2021, setting the deposition for June 1, 2021. The deposition of FRCP 36(b)(6) witness for BANA
13 was rescheduled for June 8, 2021. The deposition of took place as rescheduled.

14 13. SFR served its notice of deposition of Krista Nielson on May 13, 2021, setting the
15 deposition for June 2, 2021. The deposition of Krista Nielson took place as scheduled.

16 14. SFR served its notice of deposition of FRCP 36(b)(6) witness for Carrington
17 Mortgage Services on May 13, 2021, setting the deposition for June 2, 2021. The deposition of
18 FRCP 36(b)(6) witness for Carrington Mortgage Services took place as scheduled. SFR reserves the
19 right to continue the deposition after seeking documents regarding short sale negotiations.

20 15. SFR served its notice of deposition of Fernando Bucago on May 13, 2021, setting the
21 deposition for June 3, 2021. The deposition of Fernando Bucago took place as scheduled.

22 16. SFR served its notice of deposition of Douglas Miles on May 13, 2021, setting the
23 deposition for June 8, 2021. The deposition of Douglas Miles was rescheduled and took place on
24 June 4, 2021.

GERRARD, COX & LARSEN
 2450 St. Rose Parkway, Suite 200
 Henderson, NV 89074
 O:(702)796-4000 F:(702)796-47848

17. SFR served its notice of deposition of Samantha Marrero of Terra West dba AMS on May 13, 2021, setting the deposition for June 3, 2021. The deposition of Samantha Marrero was vacated due to the inability to serve her at the contact information listed in the disclosures.

18. SFR served its notice of deposition of Ivette Martinez of Terra West dba AMS on May 13, 2021, setting the deposition for June 3, 2021. The deposition of Ivette Martinez was vacated after Ms. Martinez submitted an affidavit claiming she never worked for Terra West dba AMS and has no recollection of the events in this case.

19. SFR served its notice of deposition of Rock Jung, Esq. on May 13, 2021, setting the deposition for June 8, 2021. The deposition took place as scheduled.

20. SFR served its notice of deposition of Michael Viego (former President of Independence Homeowners Association) on May 13, 2021, setting the deposition for June 1, 2021. The deposition of Michael Viego was vacated after Mr. Viego reported that he is seriously ill and is unable to sit for a deposition at this time.

21. BANA served its eighth supplement to initial disclosures on May 27, 2021.

22. BANA served its ninth supplement to initial disclosures on June 2, 2021.

23. BANA served its tenth supplement to initial disclosures on June 4, 2021.

24. BANA served its eleventh supplement to initial disclosures on June 7, 2021.

25. BANA served its twelfth supplement to initial disclosures on June 8, 2021 which included the documents it received from Lawyers Title of Nevada pursuant to BANA's subpoena duces tecum.

III. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT HAS NOT BEEN COMPLETED

1. Deposition of Michael Viego.

2. Deposition of Chris Hardin. SFR reserves the right to object to the taking of this deposition.

GERRARD, COX & LARSEN
2450 St. Rose Parkway, Suite 200
Henderson, NV 89074
O:(702)796-4000 F:(702)796-47848

3. Continued deposition of Jason Mattson. BANA reserves the right to object to the taking of this deposition.

4. Deposition of other witnesses that have been disclosed that concern the attempted short sale of the Property including:

- a. Linton Gamiao
- b. Lindsey Gamiao
- c. Blossom Gamiao
- d. Maria Maneva
- e. Bernadette Robles
- f. Lesa Wolf
- g. Anna Charise Junio
- h. Heather Baron
- i. Shannon Lamb
- j. Kari Phillips
- k. Michelle Phillips

26. Subpoena Duces Tecum to Carrington Mortgage Services

27. Written discovery requests from SFR to BANA regarding the short sale negotiations.

28. Written discovery requests from BANA to SFR regarding their knowledge SFR's knowledge of the short sale.

29. SFR's position is that it may need continued depositions of Carrington and BANA to the extent additional documents are produced. BANA reserves the right to object to the taking of these depositions.

The parties reserve the right to participate in additional discovery during the current discovery period. The parties also reserve the right to object to any requests for second depositions.

GERRARD, COX & LARSEN
 2450 St. Rose Parkway, Suite 200
 Henderson, NV 89074
 O:(702)796-4000 F:(702)796-47848

**IV. REASON WHY EXTENSION OF DISCOVERY AND EXTENSION OF DEADLINE
 TO AMEND PLEADINGS AND ADD PARTIES IS REQUIRED**

LR 26-3 provides that “[a] motion or stipulation to extend any date set by the discovery plan, scheduling order, or other order must, in addition to satisfying the requirements of LR IA 6-1, be supported by a showing of good cause for the extension.” Further, LR 26-3 and LR IA 6-1, in provide in relevant part that [a] motion or stipulation to extend a deadline set forth in a discovery plan must be received by the court no later than 21 days before the expiration of the subject deadline. A request made within 21 days of the subject deadline must be supported by a showing of good cause. A request made after the expiration of the subject deadline will not be granted unless the movant also demonstrates that the failure to act was the result of excusable neglect.

The parties stipulate that a 90-day discovery period is necessary and adequate for the Parties to fully investigate their defenses, depose any and all witnesses needed and any other witnesses that the Parties find necessary to depose. Further, the Parties may seek to add Independence Homeowners Association, Terra West Management Services, and/or Assessment Management Services¹ as new parties to this case based on the newly discovered information concerning the short sale and any claims/defense being pursued by the Parties through the documents received by Orange Realty and subsequent depositions of Jason Mattson, Fernando Bucago and the FRCP 30(b)(6) witness of Assessment Management Services.

On or about November 25, 2019, BANA issued a Subpoena Duces Tecum upon Terra West/AMS to obtain the collection file associated with the subject Property. On or about December 2020, BANA received documents from Terra West / AMS in response to BANA’s subpoena duces tecum. The property records included email exchanges between Terra West’s employees and

¹ - During the Deposition of the FRCP 30(b)(6) witness for Terra West / AMS, the Parties learned that Terra West Management Services and Terra West Collections Group, LLC, dba Assessment Management Services are entirely separate entities, and the Terra West /AMS was dissolved as a business. However, the documents received from Terra West/AMS and Orange Realty indicate employees of Terra West Management Service participated in the process of negotiating a settlement amount between Orange Realty and Terra West /AMS.

GERRARD, COX & LARSEN
 2450 St. Rose Parkway, Suite 200
 Henderson, NV 89074
 O:(702)796-4000 F:(702)796-47848

Orange Realty Group (“Orange Realty”) concerning a short sale that Orange Realty was preparing on behalf of the Borrowers, Linton Gamiao, Lindsey Gamiao and Blossom Gamiao (collectively, as the “Borrowers”).

These email exchanges between Fernando Bucago and Jason Mattson of Orange Realty and the employees of Terra West Management Services and Terra West /AMS indicated that Orange Realty was requesting to settle the amount of the HOA Lien that the Borrowers owed to the HOA. However, these email exchanges did not indicate whether a settlement had been reached or if settlement discussions even had taken place between Orange Realty and Terra West / AMS.

On or about March 16, 2020, the parties stipulated to stay the case for 60 days due to COVID-19 and further stipulated to extend the discovery period an additional sixty (60) days, once the stay in the discovery period expired. On March 18, 2020, this Court entered an Order [ECF No. 32] to that effect at which time discovery was stayed (the “Stay Order”).

On or about May 15, 2020, the stay in the discovery period expired pursuant to the March 18, 2020 Order and discovery resumed in this case. On June 11, 2020, this Court entered its Order granting summary judgment in favor of BANA [ECF No. 36] which ended discovery in this case. On July 3, 2020, Plaintiff SFR filed its Motion for Reconsideration of Order [ECF No. 38].

On February 1, 2020, this Court issued an Order granting SFR’s Motion for Reconsideration and ordered the parties to continue to conduct discovery pursuant to Rule 56(d). On or about April 26, 2021, BANA issued a Subpoena Duces Tecum upon Orange Realty to ascertain what occurred concerning the short sale referenced in Terra West’s documents.

On or about May 12, 2021, BANA’s counsel received Orange Realty’s documents in response to its subpoena duces tecum. Orange Realty’s document revealed that settlement negotiations between Orange Realty and Terra West/AMS took place and an agreement on a negotiated amount had been reached on the HOA Lien. As of the date of the HOA sale, which took place on May 14, 2014, Lawyers Title had received all of the funds to close on the Borrowers’ short

GERRARD, COX & LARSEN
2450 St. Rose Parkway, Suite 200
Henderson, NV 89074
O:(702)796-4000 F:(702)796-47848

1 sale. These email exchanges that revealed that an agreement on a negotiated amount to satisfy the
2 HOA Lien had been reached between Orange Realty and Terra West/HOA were not found within
3 the documents that Terra West produced in response to BANA's subpoena. Furthermore, Orange
4 Realty's documents included an Escrow Closing Statement from AMS which included a payoff
5 statement from Terra/AMS. A stamp was added to the document by Nancy Rhody of Lawyer's Title
6 of Nevada indicating that Bernadette Morales from Terra West/AMS verbally told her that the
7 payoff was good through May 18, 2014. This Escrow Closing Statement, which is attached hereto
8 as **Exhibit "A"**, was also not included in the documents produced by Terra West/AMS in response
9 to BANA's subpoena duces tecum. BANA's position is that the verbal statement by Bernadette
10 Morales indicates that Terra West / AMS agreed that payment need not be made before the HOA
11 foreclosure sale. SFR disagrees with BANA's interpretation of the evidence currently available to
12 the Parties.
13

14 As a result of the new documents received by Orange Realty, BANA subsequently issued
15 subpoenas to take the depositions of Jason Mattson of Orange Realty, Marina Arcos, the former
16 Director of Operations of Terra West/AMS, and Nancy Rhody of Lawyer's Title of Nevada. SFR
17 also issued subpoenas to take the deposition of Fernando Bucago of Orange Realty. According to
18 testimony obtained so far, the HOA foreclosure sale took place on or about the date the short sale
19 was to close, and there appears to have been miscommunications regarding the foreclosure sale date.
20 As a result of these documents, BANA disclosed several more witnesses whose names were found
21 in Orange Realty's documents. Both parties noticed several more depositions to obtain testimonies
22 related to the attempted short sale of the subject Property. However, given the amount of time left
23 to conduct to discovery (less than three weeks), the information found in Orange Realty's
24 documents, and the date of disclosure of the witnesses, the Parties believe that there was not
25 sufficient time to fully vet the witnesses needed to depose in support of their claims and defenses.
26
27
28

GERRARD, COX & LARSEN
2450 St. Rose Parkway, Suite 200
Henderson, NV 89074
O:(702)796-4000 F:(702)796-47848

1 In addition, both parties have sought to take the deposition of Michael Viego, the former
2 President of Independence Homeowners Association who served in his capacity at the time of the
3 subject Property's foreclosure. BANA's counsel attempted three time to serve Mr. Viego with a
4 subpoena for deposition, but was unable to reach him. SFR's counsel later successfully served Mr.
5 Viego with a subpoena for deposition but was later informed that Mr. Viego is serious ill and cannot
6 sit for a deposition at this time.

7
8 As a result, the Parties wish to extend discovery to adequately investigate the allegations
9 presented by potential witnesses related to the short sale. In agreeing to extend discovery, the Parties
10 do not waive any right to any claims, defenses, or arguments in relation to the claims that short sale
11 negotiations impacted the effect of the HOA foreclosure sale on the Deed of Trust at issue in this
12 case. SFR contends that the claims concerning the short sale is newly raised and waived. BANA,
13 however, contends that the claims concerning the short sale are related BANA's equity defenses and
14 were discovered during the normal course of discovery. BANA also contends that SFR had the
15 opportunity to explore the short sale and is not prejudiced in any way from the discovery the short
16 sale settlement.

17
18 Further, the Parties request to extend the deadline to amend pleadings and to add parties (to
19 add Independence Homeowners Association, Terra West Management Services, and/or Assessment
20 Management Services) to this case due to the newly discovered evidence information concerning the
21 short sale and any claims/defense being pursued by the Parties through the documents received by
22 Orange Realty.

23
24 Based on the aforementioned reasons, good cause exists to extend the discovery deadlines by
25 90 days and to allow the Parties to reopen the deadlines to amend their pleadings and add parties
26 pursuant to Pursuant to Local Rules IA 6-1 and 26-4. Moreover, BANA and SFR have
27 demonstrated "excusable neglect" to extend the discovery period and deadlines to amend pleading
28 and add parties because the Parties could not have discovered this evidence prior to May 12, 2021

GERRARD, COX & LARSEN
2450 St. Rose Parkway, Suite 200
Henderson, NV 89074
O:(702)796-4000 F:(702)796-47848

1 because, in response to BANA's subpoena duces tecum, Terra West/AMS did not produce the
2 emails exchanges between it and Orange Realty indicating that a negotiated settlement amount had
3 been reached on the Borrowers' short sale. Similarly, the Escrow Settlement Statement indicating
4 with the stamp that BANA contends memorializes an agreement that the Borrowers had until May
5 18, 2014 to pay the negotiated amount to satisfy the HOA Lien. BANA also contends that an email
6 from Marina Arcos, Terra West/AMS' Director of Operations stating the agreement to allow May
7 18, 2014 as the payoff deadline was an "honest error", was an admission by Terra West the HOA
8 foreclosure sale was conducted unfairly. SFR's position is that any short sale negotiations were
9 within BANA's or its agents' knowledge in 2014. However, to the extent the Court determines that
10 BANA is entitled to argue that the short sale negotiations impacted the HOA foreclosure sale and its
11 effect on the Deed of Trust, SFR requests the ability to conduct discovery into the issue.

12
13 Additionally, until SFR was notified of the short sale negotiation communications between Orange
14 Realty, Lawyers Title and Terra West/AMS in 2021, it had no way of knowing about any alleged
15 representations/misrepresentations. SFR has no record of any communications from any entity
16 regarding short sale negotiations. BANA contends, based on testimony from Jason Mattson, and
17 emails from employees of Terra West/AMS that SFR was aware of the short sale immediately after
18 the HOA foreclosure sale.
19

20 Furthermore, the Parties failure to seek extensions sooner constitutes excusable neglect due
21 to the fact that neither could anticipate that Mr. Viego would be suffering from an illness that
22 precluded the Parties from taking his deposition during the discovery period. The parties previously
23 submitted a stipulation to extend the discovery deadlines before the close of discovery that was
24 denied without prejudice to add additional information regarding excusable neglect regarding the
25 deadline to amend pleadings to add parties. In the meantime, the discovery deadline passed. Thus,
26 the Parties submit that the failure to submit a stipulation to extend the discovery deadline is a result
27 of excusable neglect.
28

V. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY

The parties stipulate and agree that discovery be extended for an additional ninety (90) days, and the scheduling order deadlines will be extended to the following:

- (a) Discovery cut off: September 16, 2021.
- (b) Amending the pleadings and adding parties: July 1, 2021.
- (c) Interim status report: None requested.
- (d) Dispositive motions: October 15, 2021.
- (e) Pre-trial order: November 15, 2020.

DATED this 14th day of June, 2021.

GERRARD COX LARSEN

/s/ Douglas D. Gerrard, Esq.

Douglas D. Gerrard, Esq.
 Nevada Bar No. 4613
 Fredrick J. Biedermann, Esq.
 Nevada Bar No. 11918
 2450 St. Rose Parkway, Suite 200
 Henderson, Nevada 89074
Attorneys for Defendant Bank of America, N.A.

DATED this 14th day of June, 2021.

AKERMAN LLP

/s/ Scott R. Lachman, Esq.

Natalie L. Winslow, Esq.
 Nevada Bar No. 12125
 Scott R. Lachman, Esq.
 Nevada Bar No. 12488
 1635 Village Center Circle, Suite 200
 Las Vegas, Nevada 89134
Attorneys for Defendant Bank of America, N.A.

DATED this 14th day of June, 2021.

KIM GILBERT EBON

/s/ Diana S. Ebron, Esq.

Diana S. Ebron, Esq.
 Nevada Bar No. 10580
 Jacqueline A. Gilbert, Esq.
 Nevada Bar No. 10593
 7625 Dean Martin Drive, Suite 110
 Las Vegas, Nevada 89139
Attorneys for Plaintiff SFR Investments Pool I, LLC

GERRARD, COX & LARSEN
 2450 St. Rose Parkway, Suite 200
 Henderson, NV 89074
 O:(702)796-4000 F:(702)796-47848

ORDER

Based on the foregoing Stipulation by and between the signatories, and good cause appearing, **IT IS SO ORDERED:**



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE
DATED: June 15, 2021

Respectfully submitted by:

GERRARD COX LARSEN

/s/ Douglas D. Gerrard, Esq.

Douglas D. Gerrard, Esq.
Nevada Bar No. 4613
Fredrick J. Biedermann, Esq.
Nevada Bar No. 11918
2450 St. Rose Parkway, Suite 200
Henderson, Nevada 89074
Attorneys for Bank of America, N.A.

GERRARD, COX & LARSEN
2450 St. Rose Parkway, Suite 200
Henderson, NV 89074
O:(702)796-4000 F:(702)796-47848

EXHIBIT “A” - Escrow / Closing Statement

EXHIBIT “A” - Escrow / Closing Statement

Per Bernadette @AMS this payoff
is good to 05/18/14
NCR

Escrow/Closing Statement

The information in this Report and in any attached documents is valid as of the date and time appearing at the bottom of this page. If the information in the Report differs from the information in the attachments, you should discuss the difference with the Preparer.

Prepared By: Assessment Management Services, Inc.
Community Association: Independence Homeowner Association
Home/Unit Address: 9168 Badby Ave, Las Vegas, NV 89148
Current Owner(s): (Not provided.)
Anticipated Closing Date: Apr 30, 2014
Order/Invoice Number: AMS_00026199

FDCPA SECTION 807, SUBSECTION (11): This is an attempt to collect a debt, by a debt collector. Any information obtained will be used for that purpose.

Closing/Settlement Information

Current Owner Balances Due & Payable

THIS HOME/UNIT IS IN LEGAL COLLECTION. ALL AMOUNTS DUE FROM THE CURRENT OWNER SHOULD BE DIRECTIONED TO:

Assessment Management Services (AMS)
6655 S. Cimarron Rd, Ste 201
Las Vegas, NV 89113
Phone: (702) 856-3802
Fax: (702) 880-4699
Email: bernadette@amsresults.com
Web Site: http://www.amsresults.com

This association requires that any existing special assessments be paid in full prior to an ownership transfer.

Regular assessment account balance.	1,680.00
Special assessment(s) account balance.	0.00
Unpaid late fees.	0.00
Unpaid interest.	0.00
Unpaid compliance charges.	0.00
Unpaid attorney fees.	3,446.29
Unpaid demand letter fees.	0.00
(a) Total amount owed by the current homeowner:	\$5,126.29

Amounts Due from Buyer at Closing

Advance payments and/or deposits are required from the new owner. These amounts may or may not be refundable. Should you have questions, refer to the community's documents.

Type of Charge	Collection Cycle	Advance Payments	Amount	Item Total
Regular Assessment	Monthly	2	60.00	120.00
(b) Total advance payment due from buyer at closing:				\$120.00

Proration & Related Information

Assessments
Collection Fees/Costs

Please contact Terra West Property Management at (702)362-6262 for additional information. Payment in full is due within thirty (30) days or collections will proceed.

Closing Notes

NO RENTALS UNTIL 12/2050 (DEED RESTRICTION)

PLEASE NOTE: This Demand is for the ASSESSMENT and VIOLATION ACCOUNTS.

Other Charges

(c) Management's fee for updating owner records (normally paid by buyer): **\$250.00**

Escrow/Closing Statement

The information in this Report and in any attached documents is valid as of the date and time appearing at the bottom of this page. If the information in the Report differs from the information in the attachments, you should discuss the difference with the Preparer.

Prepared By: Assessment Management Services, Inc.
Community Association: Independence Homeowner Association
Home/Unit Address: 9168 Badby Ave, Las Vegas, NV 89148
Current Owner(s): (Not provided.)
Anticipated Closing Date: Apr 30, 2014
Order/Invoice Number: AMS_00026199

Closing/Settlement Information (Cont.)

Payments Required

- (a) & (b): Make check for \$5,246.29 payable to Assessment Management Services, Inc. (Includes both buyer and seller amounts due.)
- (c): Make check for \$250.00 payable to Terra West Management Services. Include a copy of the Warranty Deed.
- (See last page for remittance information.)

Escrow/Closing Statement

The information in this Report and in any attached documents is valid as of the date and time appearing at the bottom of this page. If the information in the Report differs from the information in the attachments, you should discuss the difference with the Preparer.

Prepared By: Assessment Management Services, Inc.
Community Association: Independence Homeowner Association
Home/Unit Address: 9168 Badby Ave, Las Vegas, NV 89148
Current Owner(s): (Not provided.)
Anticipated Closing Date: Apr 30, 2014
Order/Invoice Number: AMS_00026199

Important Notices

Balances:

Balances shown may not reflect the next period due.

Valid Information:

The information in this report is valid only for the date and time shown below. It may be used only for date and time stamped.. If closing does not occur before that time, a new report must be obtained.

Access Time:

This report may be downloaded for 30 days after it was issued.

THE ASSOCIATION(S) AND TERRA WEST MANAGEMENT SERVICES ARE NOT AND SHALL NOT IN ANY WAY BE CONSIDERED AN INSURER OR GUARANTOR OF SECURITY WITHIN THE ASSOCIATION(S) OR THE PROPERTY OF THE OWNER(S).

Escrow/Closing Statement

The information in this Report and in any attached documents is valid as of the date and time appearing at the bottom of this page. If the information in the Report differs from the information in the attachments, you should discuss the difference with the Preparer.

Prepared By: Assessment Management Services, Inc.
Community Association: Independence Homeowner Association
Home/Unit Address: 9168 Badby Ave, Las Vegas, NV 89148
Current Owner(s): (Not provided.)
Anticipated Closing Date: Apr 30, 2014
Order/Invoice Number: AMS_00026199

Report Information

Ordered By:	Nancy Rhody	Phone:	(702) 266-8228
Company:	Lawyers Title of Nevada	Email:	nrhody@ltic.com
Delivery Method:	Email		
Send To:	nrhody@ltic.com;nrhody@ltic.com		

This report was issued by Assessment Management Services, Inc. on behalf of Independence Homeowner Association. Questions regarding its content should be directed to:

Bernadette Robles
(702) 856-3802
bernadette@amsresults.com

Created using software provided by Association Data, Inc., (877) 247-2515.

26199 / 847 / 119707

Remittance Advice

Include this coupon for identification.

Amount Due to Collector

Association Name: Independence Homeowner Association
 Home/Unit Address: 9168 Badby Ave, Las Vegas, NV 89148
 Current Owner(s): (Not provided.)
 Report Type: Escrow/Closing Statement
 Order/Invoice Number: AMS_00026199

Make check for \$5,246.29 payable to:

(Includes both seller & buyer amounts.)

Assessment Management Services, Inc.
 6655 S. Cimarron Rd, Suite 201
 Las Vegas, NV 89113

26199 / 847 / 119707

----- Cut Here -----

Remittance Advice

Include this coupon and copy of Warranty Deed.

Amount Due to Management

Association Name: Independence Homeowner Association
 Home/Unit Address: 9168 Badby Ave, Las Vegas, NV 89148
 Current Owner(s): (Not provided.)
 Report Type: Escrow/Closing Statement
 Order/Invoice Number: AMS_00026199

Make check for \$250.00 payable to:

Terra West Management Services
 6655 S Cimarron Rd Ste 200
 Las Vegas, NV 89113

26199 / 847 / 119707

----- Cut Here -----

EXHIBIT “A” - Escrow / Closing Statement

EXHIBIT “A” - Escrow / Closing Statement